

## MINUTES

### RILEY COUNTY PLANNING BOARD

**Monday, June 14, 2004**  
**7:30 p.m.**

**Courthouse Plaza East**  
**Commission Meeting Room**

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Members Present: Jon Larson - Chair  
Buck Gehrt - Vice Chair  
Lorn Clement  
Dr. Tom Taul

Members Absent: Rebecca Mosier

Staff Present: Monty Wedel - Planning Director; Bob Isaac – Planner; Sherie Taylor -  
Administrative Assistant.

Others Present: six (6) interested citizens

The minutes of the May 10, 2004 meeting were approved as presented.

The Report of Fees for the month of May 2004 was approved. The fees collected in May totaled \$800.00.

**PUBLIC HEARING TO AMEND SECTIONS 2 AND 6 OF THE RILEY COUNTY  
ZONING REGULATIONS TO PROVIDE FOR MANAGEMENT OF SEXUALLY  
ORIENTED BUSINESSES WITHIN THE UNINCORPORATED AREA OF RILEY  
COUNTY**

Bob Isaac explained that in response to the possibility of a sexually oriented business locating within Riley County, the Board of County Commissioners instructed Planning Staff and the County Counselor to develop regulations that would address such businesses. Mr. Isaac stated that both the Riley County Planning Board and the Manhattan Urban Area Planning Board considered the amendment and recommended approval on September 8, 2003 and October 6, 2003 respectively. However, prior to the public hearing scheduled for October 13, 2003, the Board of County Commissioners adopted a resolution providing for a six-month moratorium pending the development of the aforementioned regulations. On February 26, 2004, the Board of County Commissioners adopted a four (4) month extension of the moratorium in order to develop licensing requirements or a code that would provide control over the actual characteristics of sexual oriented businesses. Mr. Isaac explained that in order to maintain consistency between the proposed zoning regulation amendment and the licensing requirements, it was important to ensure that the language (i.e., definitions) was consistent. Mr. Isaac stated

that with the exception of some minor modifications to the originally approved amendment, the document was essentially the same. Staff recommended approval of the amendment.

Chairman Larson opened the public hearing. No one wanted to speak for or against the amendment, therefore the public hearing was closed. Lorn Clement moved to recommend approval of the amendment to the Board of County Commissioners. Dr. Taul seconded. The motion carried 4-0.

Bob Isaac stated that the amendment was scheduled to be considered by the Manhattan Urban Area Planning Board on June 21, 2004 and if the Board recommends approval of the amendment, the Board of County Commissioners shall consider the petition on June 28, 2004 at 1:30 PM.

#### **UPDATE - JOINT LAND USE STUDY (JLUS)**

Bob Isaac reported that the contract with the consultant EDAW had been finalized and that two (2) "kick off" meetings were held in Ogden and Riley on June 9, 2004 and June 10, 2004, respectively. Mr. Isaac stated that the meetings were scheduled on rather short notice and had modest attendance. Mr. Isaac further explained that the consultant had a tentative schedule of how the study will be completed, including several information meetings for public input.

#### **UPDATE - RILEY COUNTY COMPREHENSIVE PLAN**

Monty Wedel said that Staff is currently nearly completion of a Powerpoint presentation. Once completed, it will reviewed by the Riley County Extension. Once refined, it will be used for public information meetings. Mr. Wedel informed the Board how to sign up for the InTouch list on the County website by visiting [www.rileycountyks.gov](http://www.rileycountyks.gov).

#### **DISCUSSION OF DRAFT AMENDMENT TO ZONING REGULATIONS REGARDING COMMERCIAL AND NONCOMMERCIAL WIND ENERGY CONVERSION SYSTEMS**

Monty Wedel discussed the wind and prairie task force assessment. The conclusion of the task force was that wind was a State asset and that the State has a unique ecosystem. Because the wind is part of the prairie, wind development could be done in such a way as to capitalize on that aspect for tourism.

He explained that the BOCC has requested that a visual simulation be completed to evaluate the effect of wind energy in Riley County. Chairman Kearns asked Wedel to find a firm to do a visual analysis for towers 250' and 400' in height to determine if our proposed height regulations are appropriate. Buck Gehrt asked if a visual simulation has been done on Jeffries Energy Center, as it is over 600' tall.

Wedel then reviewed the changes to the proposed regulations that have been suggested since the last Planning Board meeting.

The Board discussed the addition of the definition for Visual Dominance Zone.

Mr. Clement felt that 10 times the total height of the turbine was not enough distance for a visual dominance zone. Mr. Gehrt felt increasing it from 10 times the height would be too prohibitive.

Also discussed regarding the visual dominance zone was the number of appraisers needed to arrive at a fair evaluation.

Mr. Gehrt suggested that a minimum of three (3) appraisers should be utilized, similar to process used for the condemnation of property.

Lorn Clement agreed with the number of appraisers and wanted the word “qualified” added also.

After review of the remaining changes, it was decided that the regulations were ready for publication for the September meeting.

Mr. Wedel stated that by the July meeting, he hoped to have more information regarding the requested visual simulations.

The meeting was adjourned at 9:15 p.m.